

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA :  
v. : NO. 3:86CV252(EBB)  
STATE OF CONNECTICUT, ET AL :

RULING ON DEFENDANTS' MOTION TO  
RECUSE OR REMOVE THE SPECIAL MASTER

Defendants have moved to recuse or remove the Special Master, who has been serving as such in excess of eight years, based on his recent suspension from the practice of law in Pennsylvania by the Disciplinary Board of the Pennsylvania Supreme Court for a year and a day. The Board had concluded the Master had engaged in the unauthorized practice of law while he was on inactive status for failure to meet CLE requirements.

The plaintiff United States of America, by letter dated November 21, 2005, has notified the court that it "has elected not to join the Defendants' Motion and does not intend to participate in [the] Court's consideration of the Motion." [Doc. No. 1348]

Defendants have pointed to nothing in the Special Master's execution of his duties which suggests it has been deficient. Although membership in the bar is desirable, it is not a necessary qualification for service as a special master. Finally, the court anticipates the Defendants will be purged of contempt in this matter in the first quarter of 2006.

Accordingly, the court believes the interests of the residents of Southbury Training School and the expeditious resolution of this case will be best served by the

continued dedicated service of the Special Master and the motion [Doc. No. 1338] is denied.

SO ORDERED.

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ELLEN BREE BURNS, SENIOR JUDGE  
UNITED STATES DISTRICT COURT

Dated at New Haven, CT, this \_\_\_\_ day of December, 2005.